

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

Kathy Reaves,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Civil Action No.:4:07-01183-TLW-TER
	)	
Robert A. Covington, Jacquelyn C. Smith,	)	
Sturdivant Reed, Mary Beatty Covington,	)	
County of Fulton State Adult Probation,	)	
Louisiana Department of Adult Probation,	)	
and North Carolina Department of Insurance,	)	
	)	
Defendants.	)	
_____	)	

**ORDER**

Plaintiff, Kathy Reaves, (“plaintiff”) brought this civil action, *pro se*, under 42 U.S.C. § 1915, on April 30, 2007. (Doc. #1).

This matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Thomas E. Rogers, III, to whom this case had previously been assigned. (Doc. #76). In the Report, Magistrate Judge Rogers recommends that Sturdivant Reed and Fulton County Adult Probation’s motion to dismiss (Doc. #50) be deemed moot as to defendant Fulton County Adult Probation and be granted as to defendant Reed. (Doc. #76). Objections to the Report were due on July 21, 2008. The plaintiff has not filed objections.

In conducting this review, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections...The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a *de novo* determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the Report and

Recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case, the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Housing Auth. of the City of Columbia, 791 F. Supp. 137, 138 (D.S.C. 1992)

(citations omitted).

In light of the standard set forth in Wallace, the Court has reviewed the Report. After careful review of the Report, the Court **ACCEPTS** the Report. (Doc. #76). Therefore, for the reasons articulated by the Magistrate Judge, the defendants motion to dismiss is **MOOT** as to defendant Fulton County Adult Probation and **GRANTED** as to defendant Reed. (Doc. #50).

**IT IS SO ORDERED.**

s/Terry L. Wooten

Terry L. Wooten  
United States District Judge

August 8, 2008

Florence, South Carolina